

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA**

MARTIN J. WALSH,  
SECRETARY OF LABOR,  
U.S. DEPARTMENT OF LABOR,

Plaintiffs,

v.

PACKERS SANITATION SERVICES,  
INC., LTD.,

Defendant.

CIVIL ACTION NO. 4:22-CV-3246

**DECLARATION OF JAMIE MILLER**

I, Jamie Miller, hereby declare that the statements made in this Declaration, pursuant to 28 U.S.C. § 1746, are true and correct to the best of my knowledge and belief. I understand that false statements made herein are subject to the penalties of perjury and state as follows:

1. I am currently employed in the position of Employee Retention Program ("ERP") Supervisor with Packers Sanitation Services, Inc. Ltd. ("PSSI" or "Company") at the PSSI storefront office located at 2613 S. Limit Avenue, Sedalia, Missouri 65301 ("Office").

2. I am over 18 years of age, I am a resident of the State of Missouri, and I am competent to testify to the matters stated in this declaration, and if called and sworn as a witness, I could and would testify competently and truthfully to the matters stated in it.

3. I have not been promised any benefit, or been coerced or threatened in any manner in exchange for the testimony in this declaration. I have been specifically informed that I am free to provide or decline to provide any information relating to the paragraphs below.

4. I make this declaration voluntarily and of my own free will.

5. I have worked for PSSI since approximately September 8, 2015 and I have worked in the role of ERP Supervisor since approximately August 2019. In this role, I am responsible for hiring PSSI employees for the Sedalia production facility located at 19571 Whitfield Road, Sedalia, Missouri 65301 ("Facility"). My responsibilities include reviewing applications, scheduling interviews, interviewing applicants, and reviewing applicant identification. For applicants who are hired, I also provide the first part of orientation that must be completed before they proceed to the Facility.

6. The hiring process starts with the applicant completing an online application through an application portal. The application has a position fitness survey which includes a question for the applicant to answer regarding whether he or she is eighteen years of age or older. When I check our application portal and see that an applicant has applied, I review the application and the details that the applicant has provided. If the application is complete and the applicant's information indicates he or she could be a potential PSSI team member, I contact the applicant to schedule an interview at the Office. When they arrive at the Office, I show them an application video and speak with the applicant.

7. If an applicant is given a conditional offer of employment following their interview, I change their status in our application portal to "hired" status. The applicant can then log into the portal and complete their new hire documentation. I review their photo identification for the purpose of completing Section Two of their Form I-9. In reviewing the employee's identification to complete Section Two of the Form I-9, I double check to make sure that the applicant matches the photograph on the identification. I also double check the birthdate on the identification matches the birthdate that the applicant has completed on the Form I-9. I also on occasion use a calculator to double check that the applicant is eighteen years of age or older.

8. I make a photocopy of the identification and electronically upload that documentation to the online portal so that PSSI's corporate office can access it and run the candidate through E-Verify. If they pass through the E-Verify system and are verified for hire, I receive electronic notice of their authorization from the corporate office. Subsequently I proceed with the hiring process and set up the employee for orientation and for training at the Facility.

9. On occasion, I will receive notice of a Tentative Nonconfirmation ("TNC") from the corporate office. At that time, I contact the employee and inform him or her of the TNC Status and I inform the employee that I have a copy of the TNC letter to provide to him or her. I also notify the employee of his or her ability to contest the TNC with the Social Security Administration and the timing for doing so. If the employee is unable to correct the TNC or does not return to PSSI within the requisite time-period to contest the TNC, the employee is immediately terminated.

10. I have never knowingly hired or heard of anyone hiring an employee under the age of 18 years old to work for PSSI. Upon making an offer of employment, I always ask for identification and verify that the identification reasonably appears to be genuine and relates to the employee. I do this regardless of national origin.

11. On the few occasions where an applicant disclosed that he or she was seventeen years old and would soon turn eighteen, I ended the interview process, informed them that they were not eligible to work for PSSI, and reminded them that PSSI has an absolute policy of only hiring individuals who are eighteen years of age or older. I would not risk my employment with PSSI by violating this policy.

12. I was at the Office on the morning that the U.S. Department of Labor investigators arrived with a search warrant. The investigators identified themselves as being from the Department of Labor and showed me their identification. The investigators were present at the

Office for approximately fifteen to twenty minutes. The investigators looked through files and filing cabinets.

13. The investigators asked if I was an hourly employee or a salaried employee. I answered that I am a salaried supervisor. They stated that they wanted to conduct an interview with me but since I am a salaried supervisor, they would not interview me outside the presence of Company attorneys.

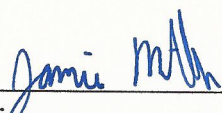
14. They asked to see the laptop that is in the Office and asked if it was a personal laptop or PSSI laptop. I answered the investigators and informed them that it is my personal laptop and that I use it for PSSI related work. The investigators plugged an external device into the laptop.

15. The investigators asked for I-9 documentation files. I informed them that the files are not retained in the Office. They also asked for employee information. I explained that once someone is authorized to work for PSSI, there is no need to retain their personal identification in this Office because the home office has the appropriately retained copies of any identification.

16. I have no knowledge of any employee disclosing that they worked while underage at PSSI nor did I ever have knowledge of employees being in high school while working at PSSI.

17. Before signing this declaration, I was provided with a full opportunity to carefully review this Declaration and freely make any corrections and additions of any kind.

Dated: 12/01/2022

  
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Jamie Miller

